IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4571 of 2007()

CRA.33/2002 of ADDL. SESSIONS COURT, ALAPPUZHA
CC.747/1997 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHERTHALA

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REVN. PETITIONER:

JOBY JOSEPH,
S/O.CHACKO JOSEPH,
KOOTHRAKARI, MUTTAHTIPARAMBU P.O.,
CHERTHALA.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS:

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1. V.O.JOSEPH,
VERUNGOTTAKKAL HOUSE,
WARD NO.24,
CHERTHALA.
2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.

BY ADV. SRI.RAJESH THOMAS
PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 18 12/2007 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4571 of 2007

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Dated this the 18th day of December, 2007

ORDER

The accused in C.C. No.747 of 1997 on the file of the Judicial First Class Magistrate-I, Cherthala for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13545 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The revision petitioner shall be released from custody forthwith, unless his continued detention is found necessary in connection with any other cases against him.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

sj